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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/707,508

12/18/2003

Frederick W. Ryan Jr.

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PITNEY BOWES INC.
35 WATERVIEW DRIVE
P.O. BOX 3000
MSC 26-22
SHELTON, CT 06484-8000

EXAMINER

JABR, FADEY S

ART UNIT

PAPER NUMBER

3628

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/707,508	Applicant(s) RYAN ET AL.	
	Examiner Fadey S. Jabr	Art Unit 3628	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 April 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Status of Claims

Claims **1, 2, 11, 15-16, 18** and **22** have been amended. Claims **1-25** remain pending and are again presented for examination.

Response to Arguments

1. Applicant's arguments, with respect to the rejection(s) of claim(s) 1-25 under 102(b) and 103(a) have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Ogg et al. Pub. No. US2005/0278266 A1 in view of Shuster U.S. Patent No. 6,389,458 B2.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims **1, 2, 16** and **19** are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

As per **Claim 1**, the recitation, "providing data to the client system...the client system program display window that is not visible to the user", is vague and indefinite. It is unclear to the Office how data is provided to a display window, however it is not visible to the user.

Claim 1 recites the limitation "display window" in line 8. There is insufficient antecedent basis for this limitation in the claim. Appropriate correction is required in the indicated claim and any subsequent claims.

As per **Claims 2, 16 and 19**, the recitation, "the web browser application provides a non visible portion of the page for displayed a second frame including the first image", is vague and indefinite. It is unclear to the Office how a non visible portion of the page for displaying a second frame can be non visible if the non visible portion of the page is for displaying. Appropriate correction is required in the indicated claim and any subsequent claims.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims **1-5, 7, 9-10, 14-16 and 19-25** are rejected under 35 U.S.C. 103(a) as being unpatentable over Ogg et al. Pub. No. US2005/0278266 A1 in view of Shuster U.S. Patent No. 6,389,458 B2, hereinafter referred to as Ogg and Shuster, respectively.

As per **Claim 1, 4-5, 15 and 22-25**, Ogg discloses a method to protect against the fraudulent production of computer-based postage stamps, comprising:

- receiving a request relating to the first image from a client system (see Figure 2);

- providing data to the client system for forming at least a portion of a sample image to a portion of a program window in the client system that is visible to the user (see Figures 5 and 9).

Ogg fails to disclose a client system program display window that is not visible to the user.

However, Ogg discloses a sample postage displayed to the user and actual postage which is not displayed to the user. The actual postage is hidden until the user prints the actual postage.

Furthermore, Shuster teaches a web browser environment where a user request information from a provider computer...The user computer generates a second frame is preferably a hidden frame, which is not visible to the user, but is nonetheless, maintained as a frame with the user's browser (C. 2, line 60- C. 3, line16). The content frame (visible frame) and the second frame define a frame set (C. 7, lines 60-64). Therefore, it would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify the method of Ogg and disclose a hidden frame to the visible frame as taught by Shuster. Shuster provides motivation to combine by disclosing the hidden frame modifies or controls one or more of the browser functions, such that the user computer accesses a predesignated site or page instead of accessing the site or page typically associated with the selected browser function (C. 3, lines 39-44).

As per **Claims 2, 16 and 19**, Ogg discloses where:

- the first image comprises a shipping label having a postage indicia comprising a postage indicia code (see Figure 6);
- the sample image comprises a sample shipping label having a sample postage indicia (see Figure 5);

- the client system comprises a web browser application (see Figure 9);
- the web browser application provides a visible portion of a page for displaying a first frame including the sample image (see Figure 9);
- the data provided to the client system program is provided by a first web server (see Figure 1).

Ogg fails to disclose the web browser application provides a non visible portion of the page for displaying a second frame including the first image. However, Ogg discloses a sample postage displayed to the user and actual postage which is not displayed to the user. The actual postage is hidden until the user prints the actual postage. Furthermore, Shuster teaches a web browser environment where a user request information from a provider computer... The user computer generates a second frame is preferably a hidden frame, which is not visible to the user, but is nonetheless, maintained as a frame with the user's browser (C. 2, line 60- C. 3, line 16). The content frame (visible frame) and the second frame define a frame set (C. 7, lines 60-64).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify the method of Ogg and disclose a hidden frame to the visible frame as taught by Shuster. Shuster provides motivation to combine by disclosing the hidden frame modifies or controls one or more of the browser functions, such that the user computer accesses a predesignated site or page instead of accessing the site or page typically associated with the selected browser function (C. 3, lines 39-44).

As per **Claims 3, 7, 9, 18 and 20-21**, Ogg discloses wherein the sample shipping label includes a sample indicator (see Figures 5 and 9).

As per **Claim 10**, Ogg discloses a method comprising:

- providing a first logic indicator in the visible portion of the client system program window for receiving an indication of a sample print request (see Figure 3); and
- providing a second logic indicator in the visible portion of the client system program window for receiving an indication of a non-sample print request (see Figure 3).

As per **Claim 14**, Ogg discloses a method comprising:

- the first image includes image portions obtained from a second webs server (0029, also see Figure 1);
- the sample image comprises image portions obtained from a second web server (0029, also see Figure 1).

6. Claims 6, 8 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ogg in view of Lewis et al., U.S. Patent No. 6,233,565 B1, hereinafter referred to as Lewis.

As per **Claim 6 and 8**, Ogg discloses the sample indicator comprises an indication to the user that the label is not valid for postage (see Figures 5 and 9). Ogg fails to disclose the sample image is an image file using an image file format selected from the group: GIF, BMP, TIFF, JPEG, PIC, PNG and PCX. However, Lewis teaches a bitmap of the sample indicium to be displayed as it would appear printed (C. 19, lines 53-55). Therefore, it would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify the method of Ogg and include a bitmap sample indicium that will display the indicium as it will be printed as

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taught by Lewis, because it allows a user to see an image of the indicium as it will appear on the mail item which would allow them to make any corrections to the indicium.

As per **Claim 17**, Ogg fails to disclose a document of value comprises a document selected from the group: ticket, receipt, article, report, financial instrument and contract. However, Lewis teaches issuing tickets for theatres, sporting events, etc. and receipts (C. 38, lines 40-47). Therefore, it would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify the method of Ogg and allow the system to issue tickets and receipts as taught by Lewis, because it makes the system more flexible by allowing a user to utilize the system for a variety of digitally signed materials.

7. Claim **11** is rejected under 35 U.S.C. 103(a) as being unpatentable over Ogg in view of Stickler et al., Pub. No. US2003/0220887 A1, hereinafter referred to as Stickler.

As per **Claim 11**, Ogg fails to disclose receiving at least one indicator from a user indicating whether the non-sample print request was successful. However, Stickler teaches a user confirming the successful printing of the label through a message screen (0053). Therefore, it would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify the method of Ogg and include a message indicator allowing the user to indicate whether the postage was printed successfully as taught by Stickler, because it allows the user another chance to print the postage if unsuccessful.

8. Claims **12-13** are rejected under 35 U.S.C. 103(a) as being unpatentable over Ogg in view of Stickler as applied to claim 1 above, and further in view of Davies et al., U.S. Patent No. 6,144,950, hereinafter referred to as Davies.

As per **Claim 12**, Ogg fails to disclose determining whether the received indicators indicate that a threshold of print failures has been reached; and if the threshold of print failures has been reached, providing an indication that the print request is valid. However, Davies teaches if a predetermined threshold number T, then the printer may register a fault condition (C. 6, lines 57-61, and claim 5). Therefore, it would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify the method of Ogg and include a limit to the number of failures before an indication is registered as taught by Davies, because it allows the system to determine a sufficient number of significant failures before taking further action, such as disabling the printing means.

As per **Claim 13**, Ogg discloses the first logic indicator and second logic indicator are presented in a second visible frame (see Figure 9).

Conclusion

Examiner's Note: Examiner has cited particular columns and line numbers in the references as applied to the claims below for the convenience of the applicant. Although the specified citations are representative of the teachings in the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is

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respectfully requested that the applicant, in preparing the responses, fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the examiner.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Fadey S. Jabr whose telephone number is (571) 272-1516. The examiner can normally be reached on Mon. - Fri. 7:30am to 4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Hayes can be reached on (571) 272-6708. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Fadey S Jabr
Examiner
Art Unit 3628

FSJ

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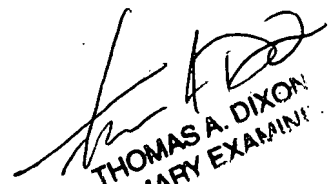
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**THOMAS A. DIXON
PRIMARY EXAMINER**